

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

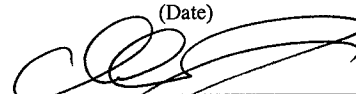
Applicant : Kenneth W. Rake et al.
Appl. No. : 09/892,900
Filed : June 26, 2001
For : PLATEN PUMP
Examiner : Karin M. Reichle
Group Art Unit : 3761

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August 23, 2007

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Curtiss C. Gosier, Reg. No. 46,670

INTERVIEW SUMMARY AND SUBMISSION OF TERMINAL DISCLAIMER

Mail Stop Amendment

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Dear Sir:

In response to the telephone interview with the Examiner on July 16, 2007 and Interview Summary form mailed August 2, 2007, Applicant submits the following statement on the substance of the interview and terminal disclaimer.

Summary of Interview begins on page 2 of this paper.

Remarks begin on page 3 of this paper.

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SUMMARY OF INTERVIEW

Attendees, Date and Type of Interview

The telephone interview was conducted on July 16, 2007 and attended by Examiner Karin M. Reichle and Applicant's representative, Curtiss C. Dosier.

Exhibits and/or Demonstrations

None.

Identification of Claims Discussed

All pending claims were discussed during the interview.

Identification of Prior Art Discussed

U.S. Patent Nos. 6,358,239; 6,626,329; 6,871,759; and 7,083,068 were discussed with respect to potential double patenting issues.

Proposed Amendments

Amendments to the specification and claims were discussed substantially similar to the amendments subsequently filed in the Supplemental Amendment filed July 16, 2007.

Principal Arguments and Other Matters

It was submitted by Applicant's counsel that the amendments in the Supplemental Amendment would overcome the outstanding rejections. In addition, it was submitted that the filing of a proper terminal disclaimer would overcome the potential double patenting issues.

Results of Interview

It was agreed that the proposed amendments and terminal disclaimer would likely overcome the outstanding rejections, subject to further consideration by the Examiner.

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REMARKS

In response to the telephone interview of July 16, 2007, Applicants respectfully request the Examiner to reconsider the above-captioned application in view of the following comments. Claims 14, 17, 30 and 40-42 remain pending. No claims have been amended by this paper.

A Terminal Disclaimer Is Filed Herewith To Obviate The Potential Double-Patenting Issues

During the telephone interview of July 16, 2007, the Examiner raised the potential issue of obviousness-type double patenting of the present claims with respect to the issued patents identified in the Summary of Interview section of the present paper. Applicants have filed herewith a terminal disclaimer in compliance with 37 C.F.R. § 1.321(c) to obviate any potential rejection on such basis. Ownership of the present application is evidenced by the Assignment recorded in the U.S. Patent and Trademark Office at reel 6567, frame 0846. Accordingly, reconsideration of the issue is respectfully requested.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: August 23, 2007

By: 

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